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Chairman:	Mr. Majoor	(Netherlands)
later:	Ms. Seaneda (Vice-Chairman)	(Ghana)
later:	Mr. Majoor (Chairman)	(Netherlands)

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The meeting was called to order at 10.05 a.m.

Agenda item 61: Indigenous issues

(a) Indigenous issues (A/63/166)

(b) Second International Decade of the World's Indigenous People

1. **Mr. Sha** Zukang (Under-Secretary-General for Economic and Social Affairs) said that, after the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, a number of encouraging developments had taken place at the national and international levels. The Declaration had been recognized as law by one country and had been invoked by national courts in another. Some States had issued formal apologies to indigenous peoples for historic injustices they had suffered. Other States had recognized either the existence of indigenous people or their political or cultural roles. The Declaration had also inspired an international financial institution to adopt a policy on indigenous peoples. The United Nations Development Group, working together with the Department of Economic and Social Affairs, had adopted guidelines on implementing the Declaration on the ground.

2. However, indigenous peoples, many of them at risk of extinction, continued to suffer extreme poverty, discrimination, exploitation and deculturation, which could take more or less violent forms. He called on Member States and United Nations agencies, in particular acting through the United Nations country teams, to implement the Declaration by continuing to display constructive political will and providing the necessary resources. In order to tackle the concerns raised by the United Nations Permanent Forum on Indigenous Issues, there was a need for greater participation by indigenous peoples in drafting country reports on the implementation of the Millennium Development Goals; those reports did not adequately address indigenous issues. Yet because indigenous peoples were disproportionately affected by climate change and the current food and financial crisis, they needed specific Government protection.

3. He was keen to hear the views of Member States on their expectations for the forthcoming mid-Decade review in terms of promoting the implementation of the Decade's objectives. He was grateful to the Governments and United Nations agencies that had recently contributed to the Trust Fund on Indigenous Issues and encouraged Member States to continue their financial support for and their cooperation with the United Nations system in addressing indigenous issues.

4. **Mr. Mbaidjol** (Director, New York Office of the High Commissioner for Human Rights), briefly introducing the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations (A/63/166), said that it contained an overview of the financial status and activities of the Fund, including the status of contributions, and provided information on recommendations adopted at the twentieth and twenty-first sessions of the Board of Trustees.

5. **Mr. Alakhder** (Libyan Arab Jamahiriya) asked to what extent the current financial crisis could affect indigenous peoples.

6. **Mr. Mbaidjol** (Director, New York Office of the High Commissioner for Human Rights), in response to the question asked by the representative of the Libyan Arab Jamahiriya, said that he hoped that Member States would continue to support the Office despite the global financial crisis, in particular by developing strategies to ensure continuity of programmes and activities.

7. **Ms. Stamatopoulou** (Acting Director, Division for Social Policy and Development, Department of Economic and Social Affairs) said that like all vulnerable groups, indigenous peoples were particularly affected by crises. In such cases, Governments began by cutting back services for indigenous communities, which were too expensive because of the isolation of indigenous groups. It was important, therefore, to consider measures to avoid such cutbacks.

8. **Mr. Gonnet** (France), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Liechtenstein and Ukraine, recalled the problems facing indigenous peoples, to which the Under-Secretary-General had made reference and which included climate change and the food crisis. With those peoples specifically in mind, the international community had launched initiatives such as the International Decades of the World's Indigenous Peoples and adopted instruments such as the United

Nations Declaration on the Rights of Indigenous Persons. As the result of over 20 years of negotiations between Member States and the representatives of indigenous communities the Declaration represented a significant step forward in protecting the rights of each indigenous person, which had long been violated. To that end, it defined a framework for the formulation and implementation of development policies. The European Union therefore reiterated its support for that legally binding instrument, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, the United Nations in general, and in particular the Human Rights Council and the Office of the High Commissioner for Human Rights, which had a leading role to play in implementing the Declaration.

9. The European Union also welcomed the fact that the Human Rights Council had established an innovative expert mechanism, which would complement the Permanent Forum on Indigenous Issues and the Special Rapporteur. On the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights, the European Union reiterated its commitment and called on the international community to do everything that it could in order to ensure that the concept of the universality of human rights was upheld in all respects, including for indigenous people.

10. **Mr. Staur** (Denmark), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that they were committed to promoting and protecting indigenous peoples' rights throughout the world, and thus contributing to the diversity and tolerance of society as a whole, with all groups, including indigenous peoples, involved in the decision-making process.

11. He welcomed the adoption of the United Nations Declaration on the Rights of Indigenous Peoples and its impact on the rights of indigenous peoples internationally, but underlined the importance of spreading awareness of its principles, including among indigenous peoples, in order to facilitate their practical implementation. The Nordic countries pledged continued support for the Permanent Forum on Indigenous Issues, which played a fundamental role in establishing a dialogue between Governments and representatives of indigenous communities and in raising awareness and encouraging the examination of indigenous issues by the United Nations system. He welcomed the establishment of the Expert Mechanism on the Rights of Indigenous Peoples and the appointment of its members, who, he trusted, would provide useful advice to the Human Rights Council and thus contribute to advancing the situation of indigenous peoples. The Nordic countries strongly supported the new Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, as they had his predecessor, and encouraged him to continue an active dialogue with Member States and the Human Rights Council, with the participation of indigenous peoples.

12. Despite the solid international framework for the protection and promotion of indigenous peoples' basic rights, much more needed to be done to overcome the problems affecting them, as pointed out by the Under-Secretary-General for Economic and Social Affairs. The racism and intolerance that indigenous peoples continued to experience must be mentioned in the outcome document of the Review Conference on the implementation of the Durban Declaration and Programme of Action. Furthermore, indigenous peoples must be taken into account in national and international policies and programmes on climate change, which posed a threat to their traditional lifestyles and cultures.

13. **Ms. Maierá** (Brazil) said that the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people had visited Brazil in response to the standing invitation that her country had extended to all thematic special procedures of the Human Rights Council and a direct request from Brazilian indigenous leaders who had participated in the most recent session of the Permanent Forum on Indigenous Issues. The Special Rapporteur had met with the President of Brazil and a number of high representatives of the executive, legislative and judicial branches, as well as of the various local indigenous communities. She welcomed the Special Rapporteur's willingness to engage in dialogue with all stakeholders and was certain that he would continue to do so in preparing his report. Brazil was prepared to cooperate to the fullest extent with the Special Rapporteur, in order to facilitate the constructive assessment of the underlying causes of any possible violations of indigenous peoples' rights and the solutions needed to deal with them.

14. In the late 1970s, Brazilian indigenous communities had become organized in order to address the despoilment and assimilation of their lands, which

in turn had led to the emergence of a new indigenist policy, based on respect for indigenous peoples' identities, lifestyles and property rights, as legally enshrined in the Federal Constitution of 1988. Those developments had made the demarcation of indigenous lands, which accounted for 12.5 per cent of Brazilian territory, more legitimate, consistent and timely. Two thirds of indigenous lands had already been demarcated and regularized within a legal framework and through partnerships between governmental and non-governmental organizations and representatives of indigenous communities. Sixty-eight of the 220 indigenous groups in Brazil still lived in isolation, thanks to policies adopted to protect them from any external influence.

15. Nevertheless, Brazilian indigenous communities did not fully exercise their basic rights. Measures therefore needed to be taken in the areas of education and health, the preservation of identity and culture, and capacity-building in the management and protection of indigenous lands, as well as the involvement of indigenous peoples in decision-making processes that might affect them. Brazil and the Special Rapporteur would both have much to gain by engaging in a frank dialogue aimed at helping indigenous peoples exercise the full enjoyment of their rights.

16. **Mr. Chumarev** (Russian Federation) said that, given the vulnerability of the traditional lifestyles and of the biological and social environment of indigenous peoples, it was particularly important for Member States to work together within the United Nations system in order to preserve those peoples' cultural identity. He welcomed the outcome of the seventh session of the Permanent Forum on Indigenous Issues and the fact that its special themes had included the impact of climate change on indigenous lifestyles.

17. The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the recently established Expert Mechanism on the Rights of Indigenous Peoples contributed to promoting and protecting the rights of indigenous peoples, and the adoption of the United Nations Declaration on the Rights of Indigenous Peoples marked a further step forward in that regard. The Special Rapporteur's interpretation of the Declaration's sometimes ambiguous provisions highlighted the fact that, despite the importance of international cooperation, it was the responsibility of Governments to take the steps necessary to solve the problems of indigenous peoples. The Russian Federation had actively participated in the elaboration of a text that took into account the interests of both Governments and indigenous peoples.

18. His country had defended the rights of indigenous peoples long before the Declaration's adoption through its legislation, including its federal laws and Constitution, which referred to their rights to land and other natural resources and their right to the protection of their habitat and traditional lifestyles. Draft legislation under consideration would allow indigenous peoples to enjoy a number of benefits already provided for in the tax, land and water resources codes.

19. As part of the Second United Nations Decade for the Eradication of Poverty, the Minister of Regional Development had organized the Fifth World Congress of Finno-Ugric Peoples. An international conference had also been held in Khabarovsk in October to review the past 15 years of cooperation between the United Nations system and the indigenous peoples of the north. Finally, the Russian Federation had financed, through its voluntary contribution to the Office of the United Nations High Commissioner for Human Rights, a second international symposium of experts on relations between enterprises and indigenous peoples.

20. The problems of indigenous peoples were far from being solved. It was crucial to continue defending and protecting their rights at the national and international levels. The Russian Federation was committed to participating actively in that process.

21. **Ms. Hill** (New Zealand) said that for many years New Zealand had given priority to the rights and needs of the Maori people, who made up 15 per cent of the population and 17 per cent of members of Parliament. In the previous 30 years, claims to more than half of the country's land area had been resolved. In 2008, New Zealand had settled the largest land and resources claim in its history with indigenous populations. There was a new confidence and dynamism in many indigenous communities, and the Maori economy — including the fishing, forestry and tourism sectors — was doing well.

22. Citing a statement made by the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) at the launching of the International Year of Languages, she emphasized the need to preserve linguistic diversity and said that New Zealand had taken various measures in order to nourish, from a very early age, the learning and use of the Maori language in homes and communities and to

promote the nationwide broadcast of television and radio programmes in Maori. It had been an official language since 1987 and had recorded significant growth of late.

23. The Government of New Zealand had adopted a Maori education strategy for the period 2008-2012, which emphasized that Maori identity, language and culture were essential ingredients for, not obstacles to, success and which sought to raise school enrolment rates and improve educational outcomes among Maoris, starting in early childhood education. The strategy also sought to strengthen instruction in Maori by increasing both the number of courses taught in the language and the number of qualified Maori teachers. Guidelines had been published for the teaching of the Maori language to pupils of any ethnicity. Maoris were well represented at all levels of the education system.

24. Aware that it had a role to play at the regional level, New Zealand was committed to promoting and protecting Pacific indigenous languages, including those of the Cook Islands, Niue and Tokelau, which had close constitutional ties with New Zealand and whose communities made up a significant proportion of New Zealand's population.

25. Turning to activities at the international level, she noted that her country had been the first Member State to contribute financially to the Permanent Forum on Indigenous Issues and drew attention to the issues raised and recommendations made by that body with regard to climate change, the Millennium Development Goals and the safeguarding of indigenous languages.

26. **Mr. Hermoso** (Philippines) said that indigenous peoples made up 16 per cent of his country's total population and that the Philippine Constitution recognized and promoted the rights of those communities within the framework of national unity.

27. The National Commission on Indigenous People, created by Republic Act No. 8371, was responsible for formulating and implementing appropriate policies, plans and programmes to protect the rights and well-being of indigenous persons, with due regard for their beliefs, customs, traditions and institutions. The Act also rectified the historical and structural discrimination inflicted against indigenous peoples by recognizing their rights to their ancestral lands and domains.

28. The Philippine Government was doing all that it could to ensure that indigenous peoples were fully mainstreamed and empowered as active agents in the development process. Recognizing the importance of land for indigenous communities, the Government's main goal was securing land tenure for those communities through the implementation of a plan for sustainable development and protection of ancestral domains. The National Commission on Indigenous Peoples had already issued 80 certificates of ancestral domain title covering a total area of almost 2 million hectares and 182 certificates of ancestral land title covering more than 6,000 hectares.

29. His Government was also implementing projects aimed at ensuring the livelihood of indigenous populations, as well as capacity-building programmes and modules.

30. In addition, the Philippines was working to preserve the history and customs of indigenous groups by documenting customary laws and harmonizing them with existing national laws. It also protected indigenous peoples' right and access to health care through the provision of free health services and through coverage by the Philippine Health Insurance Corporation, and it recognized the use of traditional medicines.

31. The Government had embarked upon several important initiatives to deal with emergency situations and responded immediately to any reports of human rights violations against indigenous peoples. It had provided legal assistance or counselling to 620 indigenous persons during the period 2007-2008. It recognized that, in order to ensure that an important part of humanity was not lost, it was essential to promote and protect indigenous peoples' way of life and help them to progress in peace, justice and harmony.

32. **Ms. Daes** (Greece) said that the United Nations and its Member States should do all in their power to implement the provisions of the United Nations Declaration on the Rights of Indigenous Peoples. In order to give effect to the rights affirmed in the Declaration, partnership with indigenous peoples should be promoted, programmes of legal and political reform should be implemented, institutional support systems should be established and reparation should be provided to indigenous peoples for past wrongs. Those measures, although rather belated, would enable

indigenous peoples to participate in the development process after years of exclusion, domination and isolation. Implementing the Declaration at the national level would normally require the adoption of new laws or the amendment of existing ones, as indicated in its article 38. She drew attention to the exemplary case of Bolivia, which had enacted the legislation necessary to give full effect to the Declaration's provisions in domestic law, and to that of the Supreme Court of Belize, which, citing the Declaration, had ordered the Government to return ancestral lands to a group of Mayan villages. In accordance with the twentieth preambular paragraph of the Declaration, the United Nations had also begun to create or revitalize a number of relevant entities and processes, including the Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples and the office of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people.

33. Member States might wish to create an entity similar to the Inter-Agency Support Group on Indigenous Issues at the national level in order to enable and enhance their own partnerships with their respective indigenous communities. To that end, indigenous peoples should exercise maximal autonomy over their own affairs. Civil society organizations also had a role to play in that regard.

34. In the face of the current challenges of climate change and the global financial crisis, the sustainable development model of indigenous peoples provided an example to be followed. In the context of the Second International Decade of the World's Indigenous Peoples, the United Nations system, Member States and indigenous peoples should make every effort to achieve the eight Millennium Development Goals, in particular eradication of extreme poverty and hunger, environmental sustainability and the establishment of a global partnership for development.

35. **Ms. Stewart** (Canada) said that her Government had recently taken several major steps to address a regrettable chapter in Canadian history: that of Indian Residential Schools. That system, which had existed for over a century, had separated more than 150,000 aboriginal children from their homes and communities. The Government had offered a formal apology to former students of those schools, distributed more than 1.4 billion Canadian dollars to 64,000 victims of the practice and set up a Truth and Reconciliation Commission.

36. There were two main types of land claims processes in Canada: comprehensive claims, which involved ancestral lands rights not dealt with by treaties or other legal instruments, and specific claims, which were not necessarily land-related and dealt with Canada's obligations under historic treaties or the way in which it had managed First Nations' assets. In 2008 the Canadian Government had adopted legislation creating the Specific Claims Tribunal, an initiative which gave indigenous peoples the option of bringing their claims before an independent tribunal. Her Government recognized that lands and resources played a significant role in the subsistence and the economic self-sufficiency of aboriginal peoples and were also of great cultural and spiritual importance. Aboriginal communities, governments and private companies had gained considerable experience in negotiating working arrangements aimed at ensuring responsible corporate behaviour and aboriginal participation in and benefit from the development of natural resources. Canada shared that expertise with other countries.

37. The many tripartite agreements signed between the Government of Canada, several provincial governments and indigenous organizations in areas such as child welfare, housing and education attested to the Government's commitment in those areas. Such initiatives might be of particular value in the framework of current and future studies by the Expert Mechanism.

38. Worldwide, the migration of indigenous peoples to urban areas was creating social and economic challenges, both for those peoples and for government authorities. Her Government was working at both domestic and international levels to raise awareness and advocate the necessary action with regard to the living conditions of indigenous peoples in urban centres. To that end, it would sponsor, in collaboration with the United Nations Human Settlements Programme (UN-Habitat), a special event on urban indigenous issues at the fourth session of the World Urban Forum, to be held in Nanjing, China, in November 2008. Her delegation encouraged Member States and United Nations agencies to participate and help ensure that indigenous voices were heard at the Forum.

39. **Mr. Vunibobo** (Fiji) noted that indigenous groups in his country, unlike most indigenous groups elsewhere, made up the majority of the population and owned 80 per cent of the land and resources. Yet, regrettably, they did not enjoy a standard of living commensurate with their collective wealth. In that context, all Fijians had reason to question whether the indigenous bureaucratic institutions established by the State were fully complying with their obligations.

40. His delegation was mindful of the importance of the principles of "free, prior and informed consent" and "good faith" set out in articles 19 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples. While it must be recognized that colonialism had safeguarded, through a system of separation, the lands, culture and language of indigenous Fijians, serious reforms were needed to take into account the realities of the twenty-first century. The principle of requiring the full consent of tribe members as a precondition for the use of communal lands should not hinder entrepreneurship or prevent indigenous farmers from using ancestral lands for their personal advancement. Measures were therefore currently being devised to ensure the maximum utilization of indigenous land resources while at the same time guaranteeing that the resulting benefits accrued directly to the owners of those resources. Efforts were also being made to facilitate the reform of cultural and traditional institutions, which had long played an essential role in the preservation of indigenous identity.

41. At the global level, his delegation appreciated the work of the Permanent Forum on Indigenous Issues, endorsed the recommendation contained in paragraph 26 of the report of the United Nations High Commissioner for Human Rights (A/63/166) and reiterated the appeal made to Member States and donors in paragraph 47 of that report.

42. **Mr. Rai** (Nepal) observed that the resilience of indigenous peoples should be a source of inspiration for all mankind. The international community should step up its efforts to protect the rights of indigenous peoples, raise their living standards, preserve their culture and traditions and promote their development in accordance with their aspirations and needs.

43. His Government recognized the multi-ethnic and multicultural nature of Nepalese society, which included more than 70 ethnic groups and indigenous peoples. The country's interim Constitution guaranteed the rights and freedoms of marginalized groups.

44. The political transformation that had recently occurred in his country, including the election of a Constituent Assembly, the establishment of a federal democratic republic and the formation of a new Government under the leadership of the Communist Party of Nepal, would enable indigenous peoples to realize their full potential. Nepal's new Constituent Assembly, one of the most inclusive in the world, comprised representatives of various ethnic groups, indigenous peoples and geographic regions, and almost one third of its members were women. For the first time, representatives elected by the people were drawing up a new Constitution.

45. The Nepalese Government had appropriated special budgetary funds with a view to uplifting and empowering disadvantaged groups, including indigenous peoples. A national inclusiveness commission, in which all stakeholders were represented, would make recommendations to the Government for promoting and protecting the interests of marginalized groups, including indigenous peoples.

46. Nepal's community forestry program owed its success to Nepalese indigenous peoples, who were highly skilled in the conservation of their natural environment and resources. Their wisdom would contribute to the task of nation-building and to the improvement of their standard of living.

47. His Government had ratified International Labour Organization (ILO) Convention No. 169 and had also invited the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to visit Nepal.

48. *Ms. Seanedzu (Ghana), Vice-Chairman, took the Chair.*

49. **Ms. Taracena Secaira** (Guatemala) said that it was regrettable that the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people had not had the opportunity to address the Committee. It was hoped that he would be invited to report during the sixty-fourth session of the General Assembly on the situation of indigenous peoples and on his work, in particular with respect to the inclusion of the United Nations Declaration on the Rights of Indigenous Peoples as a normative basis for the Universal Periodic Review and the participation of

representatives of indigenous peoples in the preparation of the relevant national reports.

50. At the national level, among other activities aimed at promoting respect for indigenous peoples, Guatemala had observed the International Day of the World's Indigenous People by organizing activities and events under the coordination of the Ministry of Culture and Sport, including the eighth Mayan language symposium. A project for the establishment of a Mayan university was also under way.

51. Drawing a parallel with the midterm review of the Millennium Development Goals, she said that a review of the objectives of the Second International Decade of the World's Indigenous Peoples should be undertaken in 2010 in order to strengthen areas of action in which progress had been slow. She welcomed the work of the International Fund for Agricultural Development aimed at improving access to land for indigenous women and encouraged it to support the revitalization of traditional knowledge. She also welcomed the World Food Programme's "Purchase for Progress" initiative, which would undoubtedly help indigenous peoples, most of whom were farmers, and applauded the efforts of the United Nation's Children's Fund to improve the health and education of indigenous girls. She paid tribute to the work of the Permanent Forum on Indigenous Issues and commended its secretariat for the publication of the guide on indigenous issues, developed in collaboration with the Inter-Agency Support Group on Indigenous Issues. Recalling that the first anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples had recently been celebrated, she said that her delegation would welcome a report by the Secretary-General at the next session on Member States' implementation of the Declaration.

52. *Mr. Majoor (Netherlands) resumed the Chair.*

53. **Ms. Blum** (Colombia) said that her Government, which was a party to the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169), attached great importance to cultural diversity and strove to meet its national and international obligations with regard to fulfilment of the rights and harmonious development of indigenous peoples. Respect for the country's ethnic and cultural diversity was enshrined in Colombia's Constitution and legislation, which protected the rights of its indigenous communities which comprised a multitude of communities and languages. The national development plan also included strategies for the comprehensive development of indigenous peoples.

54. In addition to the rights to which all Colombian citizens were entitled, indigenous peoples enjoyed a measure of political, social, legal and electoral autonomy on their indigenous reservations, which covered 30 million hectares — 27 per cent of the country's total land area. The Government worked continually to expand those reservations, for which funds were allocated from the national budget. Indigenous peoples also benefited from bilingual and multicultural primary education programmes and received priority access to medical insurance. In accordance with ILO Convention No. 169, Colombian laws, regulations and jurisprudence guaranteed the right of indigenous communities to be consulted on a variety of matters, including issues relating to their territories. In 2007, the Ministry of the Interior had coordinated some sixty consultations relating to hydrocarbons, mines and energy, the elimination of illicit crops, infrastructure and biodiversity. Such consultations were continuing in 2008.

55. Indigenous peoples had also been victims of terrorist attacks perpetrated by illicit armed groups financed by drug trafficking. The Government intended to continue protecting the country's entire population, but particularly its indigenous communities, by strengthening its "democratic security" policy, which had been introduced in 2002 and which had helped reduce all forms of violence. The policy on assistance for displaced persons had also been strengthened with a view to better meeting the needs of displaced indigenous populations. Indigenous populations were exempt from national military service, a fact which had helped to protect their cultures and communities.

56. **Mr. González** (Mexico) said that he endorsed the suggestion put forward by the representative of Guatemala that the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people should be invited to the next session of the General Assembly, and recalled that Mexico had supported the creation and the renewal of the mandate of the Special Rapporteur. The position of Special Rapporteur had been held from 2001 to 2008 by Mr. Stavenhagen from Mexico, to whom he paid tribute. Mexico had also participated actively in the negotiations leading to the adoption of the United Nations Declaration on the Rights of Indigenous

Peoples and had attended, as an observer, all seven sessions of the Permanent Forum on Indigenous Issues. He noted with satisfaction that the International Day of Rural Women had been celebrated for the first time on 15 October 2008.

57. Mexico had made important strides on the legislative, institutional and policy fronts with regard to protection of the human rights and fundamental freedoms of indigenous peoples. Article 2 of its Constitution and numerous local laws and constitutions recognized the multicultural nature of Mexican society and protected indigenous rights and culture. Consultation mechanisms had also been strengthened through the creation, in 2003, of the National Commission for the Development of Indigenous Peoples, which coordinated pubic policy on indigenous issues. The Commission's Advisory Council engaged in dialogue with indigenous peoples and civil society.

58. Several national plans of action for the period 2007-2012 aimed to integrate indigenous peoples into the country's economic, social and cultural development by strengthening dialogue between the State, civil society and indigenous communities; ensuring the participation of indigenous peoples in decision-making; promoting the integrated and sustainable development of indigenous peoples; protecting their linguistic and cultural heritage and their fundamental rights; and fostering the development of underserved groups and regions.

59. **Ms. Sapag** (Chile) expressed sincere thanks to the secretariat of the Permanent Forum on Indigenous Issues, in particular for the work that it had accomplished during its seventh session and for the tools developed in order to facilitate its work. Her delegation reiterated its wish that participation in the Permanent Forum should be balanced with respect to participants' indigenous origin, sex and age.

60. In the previous two years, her Government had achieved a number of the objectives that it had set for itself with regard to improving the living conditions of indigenous peoples and integrating them fully into Chilean society. The measures taken included the following: ratification of ILO Convention No. 169, adoption of a law creating an indigenous coastal zone, approval of a proposed amendment to the constitutional organic law on education, implementation of constitutional reform in respect of special territories, establishment of a national dialogue with indigenous peoples, implementation of a policy on restitution of land to indigenous peoples, strengthening of university scholarship and residence programmes for indigenous students, improvement of the indigenous health programme and creation of intercultural nursery schools.

61. In order to further progress in those areas, a plan of action had been drawn up, establishing objectives for the coming two years and for the longer term. Three main areas of action had been identified. First, with regard to the political system and institutions, concrete action would be taken to implement ILO Convention No. 169 and to ensure the recognition of indigenous peoples as provided in the Chilean Constitution. In addition, an effort would be made to ensure the active participation of indigenous peoples in the political process through the election of indigenous representatives to Parliament. Second, the Government would seek to promote the comprehensive economic, social and cultural development of indigenous communities. Lastly, the Government had made a commitment to protect multiculturalism and diversity, bearing in mind the needs and concerns of indigenous peoples, especially in urban areas and in sectors such as health, sports and education. The report of the Historical Truth and New Deal Commission would be disseminated in all educational establishments. The President of Chile had appointed a presidential adviser to oversee implementation of a plan of action, with the support of a council of ministers for indigenous issues. Those measures would serve to fulfil the social pact for multiculturalism put forward by the President.

62. **Ms. Alberdi** (United Nations Development Fund for Women (UNIFEM)) said that, despite their exceptional resilience, indigenous peoples were the poorest and most vulnerable owing to racial discrimination, social exclusion and economic marginalization, and had been deprived of their land rights as well as access to education and health care. Conflict in many indigenous territories had also caused significant population displacement and destruction of natural resources and ancestral lands. For indigenous women, gender discrimination intersected with other forms of discrimination; they were often victims of various forms of gender-specific and racially motivated violence. Poverty and restricted access to education and health care further contributed to the erosion of their economic and social rights.

63. She drew attention to the activities of United Nations Development Fund for Women (UNIFEM) in Latin America where, since 1995, it had worked with indigenous women's groups to encourage countries and communities to value and draw upon indigenous knowledge, create synergies with decision-makers, human rights defenders and women's groups, and support indigenous women's organizations and leadership. A priority of the Fund was to strengthen inter-agency cooperation among United Nations country teams in addressing the issues facing indigenous women.

64. At the tenth session of the Regional Conference on Women, held in Quito in 2007, UNIFEM, the United Nations Population Fund (UNFPA) and the secretariat of the Permanent Forum on Indigenous Issues had organized a panel on Citizenship and Political Participation by Indigenous and Afro-Descendant Women, during which indigenous women presented a manifesto in favour of building a plurinational State.

65. At the national level, UNIFEM helped indigenous women to introduce a gender and multi-ethnic perspective in public policies and poverty-reduction plans, for example in Bolivia, Brazil, Guatemala and Paraguay, and to participate in decision-making.

66. Together with United Nations system partners, the Fund also helped indigenous women and human rights organizations to raise awareness of the problem of violence against women within indigenous communities and identify suitable solutions, through both the traditional and Western justice systems. The 16 Days of Activism Campaign had also promoted public awareness, media outreach and support for indigenous journalists and community radio programmes.

67. In the Asia Pacific region, the Fund's work was focused on promoting implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Accordingly, in the Philippines, Muslim, indigenous and rural women had participated in workshops which had afforded them the opportunity of pressing local authorities for increased participation of women in local governance. The Asian Indigenous Women's Network (AIWN) and Asian Migrant Center were working with watch groups linked to the Committee on the Elimination of Discrimination against Women in each country to ensure that the groups took account of discrimination against indigenous, ethnic minority and migrant women in their analyses.

68. **Ms. Gastaldo** (International Labour Organization (ILO)) said that combating discrimination based on ethnic origin was a central aspect of ILO efforts to combat exclusion and marginalization. With the adoption of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in 1989 and the United Nations Declaration on the Rights of Indigenous Peoples in 2007, the international community had established a framework of rights and principles that must now be translated into action.

69. The principles of consultation and participation implied that the rights and aspirations of all, including indigenous and tribal peoples, must be taken into account in national development. Each country must thus establish institutional mechanisms to that end, in close cooperation with the peoples concerned. In that context, ILO was preparing a practice guide on implementation of the provisions on consultation and participation set forth in ILO Convention No. 169 and of certain provisions of the 2007 Declaration. It had also published a practice guide on including indigenous peoples in poverty reduction strategies.

70. ILO focused on national-level action to promote the Convention. Accordingly, it organized projects in Latin America, Nepal and Africa, and collaborated, for example, with the African Commission on Human and People's Rights to develop recommendations for strengthening the legal protection of indigenous peoples. ILO had also participated in the elaboration of United Nations Development Group (UNDG) guidelines on indigenous peoples as a tool to promote more coherent action by the United Nations system at the country level.

71. In a recent publication, ILO demonstrated how ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation provided a solid framework for addressing discrimination against indigenous and tribal peoples in the world of work. Similarly, ILO Convention No. 100 concerning Equal Remuneration constituted a vital instrument to address the discriminatory pay gap affecting indigenous women in particular.

72. As the twentieth anniversary of ILO Convention No. 169 concerning Indigenous and Tribal Peoples approached, ILO hoped that other States would ratify

and implement the Convention and stood ready to assist them to that end.

73. **Ms. von Lilien** (International Fund for Agricultural Development (IFAD)) said that the empowerment of indigenous people had great importance for the Fund, whose mandate was to enable the rural poor to overcome poverty and hunger through investments in agriculture and rural livelihoods.

74. In 30 years, IFAD had invested approximately $1.3 billion in support of indigenous peoples in order to strengthen their organizations and institutions and empower them to participate in decision-making, with a special focus on women.

75. The Fund welcomed the adoption by the General Assembly of the Declaration on the Rights of Indigenous Peoples. In order to enable the latter to determine their own development, it aimed to entrust them with the management of their own resources and funds. With the help of the Indigenous Peoples Assistance Facility, transferred from the World Bank to the Fund in 2006, IFAD helped them to implement locally designed development projects. The grants were small, but effective. Thanks to those projects, indigenous people were increasingly aware of their cultural identity and were improving their capacity to manage their natural resources; and indigenous women were learning to defend their rights and strengthen their entrepreneurial capacities.

76. Despite those encouraging results, other problems had arisen. Global warming and the world food and fuel crises put additional pressures on fragile ecosystems and natural resources upon which indigenous peoples relied. Faced with those challenges, it was important to empower them to manage their land and resources in a sustainable way. To that end, indigenous people must be treated as equal partners in development policies and programmes; the principle of free, prior and informed consent must be respected in the design and implementation of strategies and programmes that affected them; and they must continue to be supported to implement self-determined development projects and to protect their rights over their ancestral land. The Fund relied on the assistance of all its partners for such purposes.

The meeting rose at 12.20 p.m.